R.7.9021

G. R. S. IX-5]

Previous references.

S. R. 11 of 1881. 1901—02.

~~1917-18~~

(S. R.)

File No. 105.

Serial Nos. 1—19.

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1—19.

all ~~Part~~ B for May, 1904.

SUBJECT.

Remission of the arrears due from K. Gundu Rao, Arrack Contractor in Consideration of the heavy loss sustained by him

---

As desired

Dy

W D 88—GPB—50,000—24-7-16

Commissioner

Note.

The petitioner represents that he took up the arrack shops under the vend farms in the Tarthahalli Taluk, for the year 1901-1902, on the expectation that the arrack sales in the taluk would continue to be the same as in the previous year. The shops were purchased on the 1st may 1901 as per arrack sale notice dated 7th march 1901. as the Akkibhoja shops were opened in accordance with the notice Cation no 9111-R.F. 90-93 × dated 13th may 1901 (published in the gazette issue of the 23rd may 1901) re subsequent to the purchase of arrack shops by the petitioner, he (petitioner) says that the sale of

Sl no 28 on file

Date is published in the Gazette issued of the 16th may 1901 also. Gazette copy of the 23rd may which was available was put up.

of K Kubhoja has materially affected the sale of arrack in that ~~taluk~~ taluk subjecting him to heavy loss and that his application to the Deputy Commr praying for remission on that account has not elicited a favourable reply.

He therefore prays that the resale of the farm alleged to have been now ordered ~~maybe~~ by the Dy Commr may be stopped pending final decision of Govt in the matter.

In the toddy license form A condition 2 ~~also~~ stipulates that the Deputy Commr will be at liberty to issue license for the ~~manufacture~~ sale of foreign liquors, & for the manufacture of and sale of beer, arrack & other country spirits.

I need this in connection with petition already received. Please see arrack rules page 11 para 5 (14)

Similar condition is not to be found in the arrack rules or license forms, except a general rule* that the licensee shall be bound by the provisions of the Excise laws & rules in force and by any additional rules which may be prescribed under the Excise Laws. ~~This evidently refers to rules regarding the sale of arrack~~ It is doubtful whether this rule can be made applicable to all provisions in general under the Excise law.

The Excise Commr will, if approved, be asked to forward a detailed report with his own opinion on the several allegations made in the petition.

He may also be asked to give ~~suitable~~ instructions, if necessary, to stay the resale pending final decision of Govt in the matter.

Subd to Secty
8/14/02

VC
8/14/02.

The petitioner says that
months' rental is due
from him & has been
unpaid on account of
this dispute. The amount
is said to be 500 odd
Rs a month. He has
deposited rental due for
2 months. He is willing
to pay up the whole if
forced shd decide a-
gainst him on merits.

He seems to be a
person solvent enough
as far as I know. I
may be trusted to that
extent. As the dispute
is a bona fide one
there seems to be no
harm in staying further
proceedings - as the sale is
said to take place
on the 11th or so.

Submitted to the
2nd Councillor.

8/4/1902

Rec'd
8-4-02

(Office note continued)

As directed, a D.O. was sent to the Excise Commr., followed by an Official communication calling for a report in the matter. The Excise Commr. in reply states that, under the circumstances reported therein, Akkibhoja shops existed long prior to their being brought within the purview of the Excise laws (ie from 15th July 1901) and that the unrestricted sale restriction placed on the unrestricted sale of the beverage, is calculated to protect arrack sales instead of having a prejudicial effect on them as complained by the petitioner & that the petitioner has therefore no cause whatever for any complaint on that

account. The Excise Commr. further says that it is believed that the fall in arrack consumption in the petitioner's contract area is due to his not giving proper wages or commission to his vendors.

28/4/02. The petitioner (personally represented today) is that the sale hitherto was clandestine, as he had declined to license it; & that since the promulgation of this rule a large number of shops (nearer 100 than 30 as stated in his petition) have been opened. He states that the main consumption of Akki-boja previously was by the makers themselves.

The facts ~~abo~~ contention about fall in Consumption is said to be supported by the reports of the Exc. Asst Commr & other Officers. These papers have not been sent up by the Exc. Commr.

Though theoretically there is no doubt that the Exc. Cl's argument is correct, still there seems to have been an impression in the Taluk that the Sale of this liquor was not allowed.

~~Award~~ The papers called for may be awaited.

2/5/1902

From the file of records received with the Excise Commr's letter no. 6931/319 & 9th May 1902, it is seen that the petitioner's (Gundeka's) main contention is that the fall in arrack sales is due to the opening of Akkibhoja shops in the Tirthahalli Taluk. On enquiry, the Excise Asstt Commr Mr. Matthews in his report no. 1183 & 20th December 1901, reported that though Akkibhoja was sold in the previous year (1900-1901), yet there was apparently a general impression that the sale of Akkibhoja was illegal and therefore such sales were carried on stealthily; that the sale of Akkibhoja was one of the causes, if not the sole cause, of the fall in the consumption of arrack; that therefore he had no hesitation in saying that this had a prejudicial effect on the

marked A.

arrack sales in the Taluk. For
reasons stated, he recommended
that some reasonable ~~concession~~
concession might be made
to the applicant. The Excise
Commr. differs from the
Excise ~~Com~~ Asst Commr
(Mr Mahan) and is of
opinion that the cause of decrease
in arrack consumption is
otherwise than the sale of
Akkibhoja and that there
was full scope for the free
sale of Akkibhoja before
it was brought within the
purview of the Excise ~~Regulation~~
Law from 1901-1902. This view
is partly supported by the Amildar's
report no 141 of 13th February 1902,
in which it is stated that Akki-
bhoja shops existed in the year
1900-1901 also & that ~~they were~~
paying mohatarfa tax was
being levied on them. ~~But~~
It is clear from the record that
the Akkibhoja shops increased from
one shop ~~to two~~ in July 1901 to
2 in August next and finally
to 26 shops, as reported by the

The Dy Commr simply forwarded the report to the Excise Commr

ie up to December 1901

Excise asstt Commr. The petitioner mentioned them to be 60 at first but when he represented his case personally to the secretary, he said that no less than 100 shops were licensed. on this point there is no record. In support of his statement, ~~the petitioner~~ that previous to the year 1901-1902, Arkikhopa was only clandestinely sold, ~~the petitioner~~ represents that in the years 1879-80, 91-92, 95-96-97 (in my Ramakal and time) persons ~~have been~~ were prosecuted for clandestine sale of Arkikhopa & punished by the Taluk magistrate of Dharwar but no record is found in support of that statement.

Submitted, to 2nd Cl Asst

23/5/02

X petition marked E.

23/5/02.

Rec'd 23-5-02.

"Govt are not satisfied that the alleged fall in the consumption of arrack was in any way due to the opening of licensed Arkikhopa shops. The petition is rejected

rejected

24/5/02

24/5

Order endorsement
dated on 3/6/02

Orders were passed as directed above. The petitioner submitted another petition (now under disposal) in which he says that the loss sustained by him was mainly due to the opening of Akkibhoja's shops and that therefore the papers referred to by him on the subject may be kindly perused and some concession shown to him.

This letter was forwarded to the C. Comm. in Combination of C.C. No 523 Mis. 90-93 dt 3/6/02 for further report if necessary - & no report was received from the Comm. Now there has been a

Memorial from the
said Ramaji Mundlekar
~~praying for~~ addressed
to His Highness praying
for the reconsideration
of the above order of 3rd
June 1902 - & a report is
called for

sd/-

True
28/7/03

8

OFFICE OF THE DEWAN OF MYSORE,
(REVENUE AND GENERAL DEPARTMENTS).

(Full Office Note.)

‡ 1. No. and date of latest letter or paper.
2. Catch words to show nature of subject.
3. Subject to be in red and body of note in black ink.

A

Subject. Petition No 227 of 1903-04 addressed to H.H. the Maharaja by M Gundu Rao of Shimoga (transferred to the Secretary to Govt. in the Jeud Dept. for report)

* 1. Statement of case in narrative form in regular sequence of subject matter or date.
2. Opinions to be stated only as supported by precedents, or general rules which should always be quoted.
3. Serial numbers in file, &c., to be always stated.
4. Dates of important documents referred should be given.
5. Write on both sides, leaving the same side as margin.

Note. In the above memorial, the memorialist represents that he has sustained a loss of Rs 2731 in working the Arrack rent farm of Thirthahalli taluk for 1901-02 and applies for review of the × Govt order of 3/6/02 declining to remit any portion of the above amount

× Nos 44 & 45

B

2. In April 1902, the petitioner × appealed to Govt against the

× Nos 36

C

Dy Comr's order declining to
make any reduction in the
monthly rental and directing the
resale of the land for non
account of the petrs default
in paying up the rental. The
petrs contended, in his petition &
first, that, owing to the locusts
of Akki Bhoja shops in the
vicinity subsequent to his taking
up the contract, there was a
fall in the consumption of
arrack in Hunsur taluk,
Akki Bhoja competing with Arrack
and that, as the consequent
loss to the petr was caused
by an act of God, some
concession should be shown in
his favour. Thereupon the
resale was stayed pending the

x Nos 3738

further orders of Govt and a
report was called for from
the Excise Comr.

3. The Excise Comr reported that,
as Akkalkhoja shops had existed
long prior to 1901-02 and as the
Govt orders of 13/5/01 & 27/6/01
placed restrictions on them by bringing
them under taxation, the petrs'
argument was futile and that
the alleged fall in consumption
of arrack was due - believed to be
due to the petrs not giving
proper wages or Commission to
his vendors & to the vendors
carrying on malpractices by
short measuring and defrauding
the arrack The Excise
Comr subsequently forwarded
the report of Mr Mathan, the
Excise assistant Comr on the

Petr's Complaint & a Copy of
the Exec Com'r's remarks on that
report. It appears from these
papers that the Exec ass'd
Com'r was disposed to think
that the meeting at Kotli Khoja
Khan was one of the causes in
the fall of Arrack Consumption
in the Thur Khahlli Taluk but
that this opinion was controlled
by the Exec Comm'r who was
inclined to attribute the fall
to the smuggling of arrack
from Br'sh territory thereby
depriving Govt of duties.

4. The Govt (2d Comm'n) thereupon
rejected the petition on the
ground that they were not

for reasons mentioned in the report to Govt

satisfied that the alleged fall in arrack consumption was due to the licensing of Akki-dhoja shops

5. It then appears that almost the only point on which the Excise Officers are agreed is that there was a fall in the consumption of arrack in the Thathkalli taluk for 1901-02. The pet. & the Excise asst. Comr. attribute the fall chiefly to the licensing of Akki dhoja shops while the Excise Comr. is inclined to attribute it to smuggling of arrack from British & to the pet.'s mismanagement & to the pet.'s general inability in not paying his servants reasonable wages

Sd/ 5/8/3

30/7/03

176
6.8.03

The Dewan through
the 2nd Collr.

Dewan 5/8/03

The Dewan not to attend
Some sufficient that I
declined to entertain
the Excise Commissioner's
Representation about
the question of rebate
the Rebi sustained
a heavy loss owing
to an alleged large
increase in the No
of Abkari Boys shops
licensed during the
currency of his
Arrack lease - If
he did he seems fairly
entitled to Some
Special treatment -
If the Dewan has no
objection the Excise
Commr may be
asked to go into the
question on the Spot
and submit a further
report to Govt as
early as possible -
The Memorial may
be sent to the Board -

6/8/03

Submitted to the Commr
Dewan 11/8/03

03/12/

There is nothing to
warrant a direction
by way of the question
whether the re-
-commendation made
by the Excise Commr was
with the knowledge of
what his predecessor had
said - of course the
former's opinion must
prevail - If any more
facts have been ascertained
Some and
Objns work
be furnished by
Otherwise the
order already
passed may stand.

7.VIII.03

Dewan 7/8/03

Dewan 11/8/03

7.8.03

Dewan 11/8/03

What are the grounds for differing from the Appellate Court & finding that the loss admittedly sustained by the Petitioners was due, not to the increase of Apple Boys shops, but to smuggling and mismanagement? A further report may be called for from the Collector who may further be asked to favour Govt with his opinion as to whether the Petitioners case deserves recommendation for remission - Para 10 of the Memorial may be sent to the Collector for report & return -

12/8/03

12/8/03

12/8/03

Sr Govt Solr Secy
Wants this not to appear in Dewan?

13/8/03

Yes with draft please

14/8

Dewan 14/8

Mr Dewan

Dewan 15/8

14/8/03

17/8

* D - Consideration

* 23/11 for Collector's report - Dy. Collector M.

Submitted with Petition with a
view.

12-6-38
17.8.03

Office note Continued

In this office docket No. 1601 / Rt. 90-93, Serial (149)
of 22/8/03. the Excise Comm.rs
requested to forth the
grounds on which he differed
from the Asstt Comm.r Mr.
Mukherjee & held that the
loss sustained by the Petr
was independent of any
increase in the number of
Akhilchoja shops, but that
it was due to smuggling
& mismanagement.
With reference to the above
the Excise Comm.r affirmed
that Mr. Mukherjee was
wrong in thinking that the
opening of Akhilchoja shops
Caused licensees Contributed

6

to the loss sustained by the
Pela because all Akkiboja
shops were originally used
to be taxed with Molotanga
but taken on such tax was
abolished by the late Khan
Bahadur Abdul Rahiman
when he was the Dy Comr.
of Shimoga, and that the
abolition gave to the revenue
calculation greater liberty
& people for the free sale of
Akkibeloja which increased
to such an extent that it
affected both ancient & todays
revenue & consequently
restrictions have been
put on it by limiting only
a limited number of shops
in specified localities -
On the other hand the
Excise Comr. is of opinion
basing chiefly on the report
of the Range Inspector that
the fall of arrack consumption
& the consequent loss was
due to
(1) the Pela not having

opened the shops in London
places as soon as his lease
Commenced (2) his not
having left stock of
cement in London shops
places — & (3) his not
managing the shops with
due Care & attention —
The smuggling of Cheap
cement from British
Territory, short measure
& Dilution of cement by
the Vendors are also
said to have contributed
to the fall —
If these are the facts
it is a question if any
& what action was
taken to check these
& how the Licensees worked
afterwards. It may also
be necessary to ascertain
how many Cases of the
kind were decided
& Conviction secured
~~against~~ in the Courts

during the period in question
Rec. & Com. add that the case does not
Held for orders deserve reconsideration

true
8/9/03

To Sec. 8/9/03

The question is simple. Akki
boja ~~Shops~~ could be sold with
out even Nichatarfa tax for-
merly. The abolition of shop
tax was based on an erroneous
supposition that its levy would
be construed as a permission
for sale & ~~that~~ its abolition ~~took~~
as a discouragement to Govt.
There is no reason why thus
should be so but it is thus
feable that this view had
some influence in discourag-
ing public sales

Similarly reasoning a
priori, one should think
that the introduction of li-
censing would rather limit
sales of Akki boja & thus bene-
fit the arrack contractor.
But it is possible that sales

were enhanced by the establishment of regular shops.

It is very likely that this petitioner has really undergone loss. Though strictly he is not entitled to any relief, it is open to you to take a merciful view so as to save him from actual loss out of a transaction like this. Orders solicited

Hyne

11.9.03

Interview through the Land Councillor

The basic cause is declared by Ramiah that the log complained of was due to the Memorialist's own mismanagement and not to the decision of new Addl Raja Khan. I am not prepared to differ from him. The Tahsildar reports that he has deducted ~~the~~ a certain log every month & keeps up the instalments spread over a period of Fifty Years. The Memorial fee may accordingly be rejected

17-9-03

Payne

13.9.03
19.9.03

Submitted to His Highness.

The question has been thoroughly gone into and there seems to be no reason whatever any remission – The above note & the orders recorded thereon dispose the question fully.

7.X.03

15

DATE 8.11.03
NO. 1135

Record of Case submitted for the orders of His Highness the Maharaja.

Subject.

Memorial of Gundé Rao, Arrack Vend Farmer of the Thirthahalli Taluk for 1901 - '02, appealing against the orders of Government rejecting his application for the remission of certain arrears due by him on his contract.

Order.

DATE 10/11/03
NO. 1240

The memorialist may be informed that I see no reason to interfere with the orders of Govt.

KRW
9/11/03

Order and
issued
10.XI.03

10/11/3

Draft. Sub.
9/11/03.

Note Continued

1. Petitioner Karanam Lyandra Row has presented 2 applications, one addressed to the 1st Councillor (Regd No 2448 of 29th April 1904) and the other addressed to the Secretary to the Govt. of H.H. the Maharaja of Mysore (Regd No 2433 of 28th April 1904) praying for the reduction, from Rs 500 to Rs 200, of the annual instalment, payable by him in adjustment of the arrears of rent of Arrack shops in the Tirthahalli Taluk, which he had taken on contract during 1901-02.

2. Once before this, i.e. on the 5th April 1902, this petitioner complained in Petn Regd No 2832 that ~~the~~ owing to the opening under Govt. license of several Abkaribhoja shops in the Tirthahalli taluk from the 1st July 1901, the consumption of arrack had considerably

considerably decreased and prayed for a proportionate compensation being granted to him on account of the loss he thus sustained. Upon due enquiry this petition was rejected and an endorsement (No 524 R.T. 90-93 dt 3/6/02) to that effect was granted to the Petnr

3. In the meantime, the Petnr having failed to pay the rent of the arrack shops, presume was put upon him to pay up the same. Now, at his request, the Excise Commr allowed him to clear the arrears by paying 6 annual instalments of Rs 500 Each.

4. Not satisfied with this concession, the Petnr presented a memorial (Registd No 227 dt 22/7/03) to H. H. the Maharaja, praying for the total remission of the arrears of the Contract amount, which had then become due to Govt. by him.

The question of his liability was then fully discussed and His Highness, concurring with the opinions of the Dewan, the 2nd Councillor & the Excise Commissioner, ordered that - the Memorialist - be informed that - His Highness saw no reason to interfere with the orders of Govt: already passed -

5. The Petr: now represents that he is unable to pay the instalment of Rs 500, allowed by the Excise Commr:, and requests that - he be permitted to pay in equal monthly instalments a reduced ~~total~~ annual instalment of Rs 200.

Mr. 5.6.04. The petr: represents that he has no property in Mysore & that his only property in South Canara yields an annual income of Rs 200 Apart from the

× upon probabilities of the statement, the

× Under the amended Rule, he would not have been allowed to bid under Shetty's name

18

Reduction in the annual instalment
would mean that the payment of
the arrears would be spread over
15 years instead of 6 years but
allowed by the Excise Comr. The
petr. may be informed accordingly
Comr. for Excise
7/5/04

There seems to be no reason to concede more than what has been already allowed by the Excise Comr. Petr may be informed accordingly.

Sd/- to the Diwan
through the Comr. 7/5/04

1255
7.5.1904

The case has already been fully considered & finally disposed of. Further correspondence need not be entertained on the question. The Resolution may be repeated as requested above. 7/5/04

17630
9.V.04

7/5/04

Office for Record 7/5/04

10.V.04

Extract
306
~~189~~ 1902

SR 105-01-1

From Kanaiya Gundeppa
Arrack Contractor

To Hirihalli Taluq
Shimoga Dist

The Secretary to the Govt. of Mysore,
Excise Dept.

Dated 5 March.
Despatched 7
Received
General No. 1
No.

Enclosure No. 1

Petition No 2832/K
praying for the remission
of a portion of the arrears
due from him in
Consideration of the
loss sustained by him
owing to the opening
of the Akkibhoja
Shops & requesting
to order the resale
of his Vend farm.
Ordered by the Local
Authorities.

References to be marked.

COURT FEE COUPON
Rs. 0 8 0
7-4-902
TWO RUPEES

Two Rupee stamp
with
Endorsement

P.1.

(today)

To

The Secretary to the
Government of Thyore
General and Revenue department

M.V. Bangalore
PETITION DEPARTMENT
REG'D. NO. 2832
DATE 7-4-1902.

7/4/902.

2032
Reports & Examples
Exhibit B

Respected Sir,

The humble petition

of Karanji Gunda Rao, Arrack
Contractor of Thirthahally Taluk,
Shimoga District, most respectfully
Showeth

(1) With the belief that the sale of
Arrack on the Vend Farm of the
Thirthahally Taluk during the current
year will continue to be about the
same quantity as in the previous
year, the petitioner obtained the farm
in the arrack Sales held on 1st May
last for a monthly rental of Rs. 501/
which exceeds the previous year's rental
by Rs 6-9/-

(2) From the Commencement of
the

the current official year the Sale of "Akkibhoja", a much cheaper liquor than arrack was authorized in taluk, the drinking population naturally took themselves to this liquor, consequently the consumption of arrack fell off to a considerable extent.

(3) The petitioner was in no manner whatever appraised of the intention of Government to authorized the sale of this new liquor.

(4) on 26/9/01 The petitioner brought to notice of the Deputy Commissioner the loss he had till then sustained and prayed by means of a petition that,-

(a) He should be allowed every month the remission of a portion of his contract amount proportionate to the loss he sustains, or

(b) To refund to him his deposit amount and have the Kent Form resold, in case the licenses for the sale of Akkibhoja could not be withdrawn. The

Deputy

Deputy Commissioner there-upon ordered the payment of the rental for September 1901 promising to hold an enquiry and issue reasonable orders before the next months rental fell due, and this was obeyed.

(5.) Again in October 1901 the Deputy Commissioner was petitioned to the same effect and upon satisfying himself that the petitioners statement was true, he recommended the remission of a portion of the rental due from the petitioner. The excise Commissioners thereupon ordered further enquiry in the matter, which was also held in the December last by the excise divisional officers and finally in March last both the Deputy Commissioner and the Excise Divisional officer recommended to the Excise Commissioner to allow the remission of a reasonable amount in favour of the petitioner.

In

In the mean-while the petitioner reminded the Deputy Commissioner of his (petitioner's) petition and offered to pay up to Government what-ever amount he realized by the Sale of arrack in his shops and prayed remission only to the extent he actually suffered loss.

(7) Unfortunately for the petitioner he received the accompanying endorsement from the Deputy Commissioner (No. 1136 of 15th March 1902) that the Excise Commissioner disallowed the remission stating that the decrease in the Consumption of arrack could not be bee believed to be due to the opening of akkibhoja shops and that all the dues from the petitioner should be paid off at once.

(8) On a perusal of a Comparitive Statement showing the Consumption of arrack in farm for the previous 3 or 4 years and also the current year it can be easily found out

that

that the heavy fall during the current year is due solely to the opening of "Akkibhoja" Shops and no other cause, and this is very well supported by the existence of 35 akkibhoja Shops, ~~of~~ all of 1st class (There are 2 classes) in the taluk against 32 arrack Shops, while there exists very few Shops, that is, two or three to a taluk in 1 or 2 taluks of the Kadur District.

(9) From July 1901 to the end of March last, the consumption of Arrack in the farm has fallen off by over 1200 gallons

(10) The petitioner even now is prepared to pay up the arrears due by him deducting therefrom the loss he has sustained on the above 1200 gallons at Rupees 1-3-8 per gallon.

(11) In Spite of the above representation of the petitioner, his farm has been ordered to be resold. This if unfortunately carried out Sir,

him (petitioner, who has been a kind farmer for the last 10 years, to an irretrievable loss.

(2) The petitioner, in conclusion, most humbly begs that the resale of the farm may be kindly ordered to be stopped, and that a remission of a portion of the arrears due by him, proportionate to the decrease in consumption of arrack be sanctioned in his favour.

(3) The petitioner begs that immediate orders may be kindly issued for the resale being stopped, pending the disposal of the other prayer.

The petitioner most humbly begs to remain,

Respectfully Sir,

Your most obedient servant,

5th April, 1902.

No. 1136

GBA (37)

12th April 1902

SRW 3-02

My dear Mr Purnaya,

Please see the enclosed petition regarding the claim preferred by Kalanjee Gunda Rau, Arrack contractor of the Tirthahalli taluk, for loss sustained by him in consequence of the opening of Akkibhoja shops in his contract area. An official communication on the subject will be sent to you in due course. In the meanwhile may I request you to kindly direct by wire the postponement of the resale of the arrack vend farms referred to in the petition until further orders.

I remain,
Yours very truly
H[illegible]

P. N. Purnaya Esq

No 4426 of 18/4/02

S.1265-01

Official Memorandum

Sl23 (38)

petition regd no 2832
dated 5th April 1902
from Narayan Gundu Rao,
Arrack contractor of the
Tirthahalli Taluk, for 1901-1902
Complaining that he has
sustained heavy loss on account
of the opening of several
Akkibhoja shops in his
contract area, &c, and
praying that the resale
of his arrack vend farms
now ordered may be
~~postponed~~ stayed pending final
decision of Govt in the
matter, is forwarded
to the Excise Commr for
favour of a detailed report
on the several ~~allegations~~
points referred to
in the petition with

already sent with D.O. dated 19/4/02

with records

his own opinion in

the matter.

"B. O."

2nd Councillor's order.

Secretary

12/4/02. The decree of ~~the~~ the petitioner's exparte rent fixed referred to in the petition may be directed to be postponed pending final decision of Govt. ~~on the subject~~.

"B. O."

14/4/02

2nd Councillor's order.

for Secretary.

OFFICE OF THE
13688
2 0 APR. 2 1902
FORT ST. GEORGE

Ex 334
33

From S. H. Purslaiya Esqre B.A.
Excise Commissioner
in Mysore.

To H. V. Ranjundayya Esqre M.A. L.C.E.
Secretary to the Govt of Mysore
Gen. & Rev. Depts.

Dated 23rd April 1902.
Despatched 24th

Received

General No. 1609
No. 286
Enclosure No.

Secretary's Demi Official letter of the 12th instant and Official memo of the 18th idem.

States that the resale of the arrack vend farms in the Tirthahalli taluk for the current year has been directed to be postponed as ordered by Government, and explains in detail the circumstances which go to show that claim of GundeRao for compensation is inadmissible.

4 enc
26.4.02

No. 6609/286

Office of the Excise Commissioner in Mysore.

Bangalore, dated 23rd/24th April 1902

From

P. N. Purnaiya Esquire B.A.

Excise Commissioner in Mysore.

To

H. V. Kanjimadayya Esquire M.A.,L.

Secretary to the Govt. of Mysore

General and Revenue Depa

Sir,

In reply to your demi official letter of the 12th instant and official memo of the 18th idem, I have the honor to state that the resale of the arrack vend farms in the Nirlu halli taluk for the current year owing to the default of the farmer Karanji Gunde Rao, has been as ordered by Government, direc to be postponed pending final decision of Government in the matter of the said Gunde Rao's claim to compensation on the ground that he sustained los on account of the opening of Sevena

several akkibhoja shops in the Sirthahalli taluk.

2. The Deputy Commissioner of the Shemoga District brought to notice so far back as in the year 1890, that akkibhoja was being clandestinely sold to the prejudice of the Excise Revenue vide this office letter No. $\frac{2914}{145}$, dated 2nd October 1890, in which it was recommended that license system should be introduced in regard to the manufacture and sale of Akkibhoja. The matter was again urged on the attention of Government in this office letter No. $\frac{385}{66}$, dated 28th July 1893, in which the mode of preparation of akkibhoja in the Sirthahalli taluk was reported. The Government however, in Proceedings No. $\frac{23048}{R.F.90-93}$, dated 23rd June 1894, ordered that they were not yet prepared to class Akkibhoja as fermented liquor.

3. Sometime after the receipt of

Government

Government Proceedings No. 23048 / R.F. 90-93, dated 23rd June 1894, the Deputy Commissioner, Shimoga District, issued orders to the Sirthahalli taluk Amildar that even the levy of the Arrakerfa tax on Akkibhoja shops should be discontinued, so that all restrictions on the sale of Akkibhoja were removed.

4. In January 1898, the Deputy Commissioner, Shimoga District, reported the various substances used in the preparation of Akkibhoja in the Sirthahalli taluk.

5. In June 1899, the Deputy Excise Commissioner reported that Akkibhoja was prepared in a very large number of private houses in the Sirthahalli taluk, and that the unrestricted use of this beverage affected the sales of Arrack and Toddy.

6. In July 1899, Mr. Kearns, the then Special Assistant Commissioner, also brought to notice that the manufacture

manufacture and sale of Akkibhoja affected the arrack and Toddy revenue, and recommended that Akkibhoja shops should be licensed under the Excise Act

7. During my tours of inspection in the Shimoga and Kadur Districts, I ascertained that akkibhoja was prepared with the mixture of intoxicating elements and sold to the detriment of arrack and toddy revenue I then concluded that the unrestricted sale of it should no longer be continued; and accordingly in my letter No. 1095/42 dated 8th August 1899, it was recommended that it should be brought under the operation of the Excise Act.

8. In December 1899, I requested the Deputy Commissioners of Shimoga and Kadur to instruct the Amildars concerned not to allow akkibhoja shops to be increased pending the final orders of Government on my recommendation.

9. In May 1901, I again urged on the attention of Government the necessity of at once bringing akkibhoja under the operation of the Excise Act. Under Government Notification No. 2111 R.7.90-93, dated 13th May 1901, it was accordingly brought under the provisions of the Excise Act, and fixed license fees as therein laid down, were ordered to be levied from the shops.

10. It will be seen from the above circumstances, that akkibhoja shops always existed in the Dindigul taluk, and the sale of akkibhoja was quite unrestricted before 1st July 1901, from which date it has been brought within the purview of the Excise laws. The restriction which has been put on it and the licenses issued to the existing shops from 1st July 1901, on payment of fixed fees, are calculated to protect arrack sales, instead

instead of having a prejudicial effect on them, as alleged by Gunde Rao. It has been now possible to regulate the number of Akkibhoja Shops so not to trench on arrack vend. Under such circumstances, the arrack vend farmer Gunde Rao has no cause whatever for any complaint on the ground that licenses are now issued to Akkibhoja Shops.

11. It is believed that one of the chief reasons for the fall in arrack consumption is that the farmer does not give reasonable wages or commission to his vendors, and that they therefore carry on malpractices by short measuring and diluting arrack

I have the honor to be
Sir,
your most obedient humble
servant
W Dumergue
Excise Commissioner
in Mysore

68.

515

437

40

To

The Excise Commr
in Mysore

Dated 17 May 1902.

No 468
Ex.

His letter no 6609/286

of the 23rd instant explaining the circumstances which go to show that the claim of Gundappa for compensation on account of the opening of Akkebhoja shops in his contract area is inadmissible.

With reference to the above has the honor to request that the petition of Gundappa which was sent with D.O. of the 12th Instant may be kindly

with connected records

Returned.

"B O"

[signature]
6/9/14

Air Secretary

No 6796/298 Encl file

Office of the Excise Commissioner
in Mysore

Dated, Bangalore 2nd/3rd May 19.

From

D. N. Purnaiya Esquire B. A.
Excise Commissioner in Mysore.

To

H. V. Nanjundiah Esqr:, M. A; M. L.
Secy. to the Govt. of Mysore.
Gen & Rev. Departments.

Sir,

With reference to your docket No 468/Ex, dated 1st instant, I have the honor to return herewith the petition of Gundurao received with your D. O. dated 12th April 1902.

I have the honor to be,
Sir,
Your most obedient servant

H. Venkatanarayanaiya

For Excise Commissioner
in Mysore.

1902 E 31.5

FROM

OFFICE OF ORIGIN
14035
2

TO

Dated 2nd Jan 1902.

Despatched 3rd — do —

Received

General No. 679E

No. 29

Enclosure No. 1 file.

Enclosed Application

dated 1st instant

Return to Office

of Application received

to Secretary's No. dated

Jany 1902.

Encl
5.5.02

No. 478/6 of 7.5.02

To Dl 39

The Excise Commr
in Mysore

SR 65-01

No
Dated May 1902

His letter no 6796/293
of the 2nd instant re-
questing the petetion of
Gunde Rao, arrack
vend farmer of Sirsihalli
Taluk for 1901-1902.

---

adverting to the
above, has the honor to
request that the records
of the case referred to
in this office no 468/Ex
dated 1st may 1902, may
be forwarded to this Office
at an early date

Dl 6/5

6/5/02. for Secretary

OFFICE OF THE
14377
12 MAY. 2 1902
FROM

E 875
S 48

P. N. Perumanya Esqr: B.A.
Excise commissioner
in Mysore.

63

To H. V. Nanjundiah Esqr: M.A, M.L
Secy. to the Govt. of Mysore.
Gen & Rev. Departments.

SR 45-01

Dated 9th } may 1902.
Despatched 10th }

Received

General No. 6931

No. 319

Enclosure No. 1 and 2 files.

Secretary's docket no 478/04, dated 7th instant.

Forwards the file of records received with the Shimoga District Deputy commissioner's docket no: 1639/165 Dated 1st march 1902 together with a copy of the said docket and of this office reply thereto

Exam
11.5.02
References entered
Issued

Enc: 1-2 Files.

Office of the Excise Commissioner
in Mysore.

Dated, Bangalore, 9th March 1902

From

P. A. Premaiya Esq: B.A.
Excise Commissioner in Mysore

To.

H. V. Nanjundiah Esq: M.A. M.L.
Secy. to the Govt. of Mysore.
Gen. & Rev. Departments.

Sir,

With reference to your docket-No. 4 dated 7th instant, I have the honor to forward herewith a file of record received with the Shimoga District Deputy Commissioner's docket No. 6/16S, 16S dated 1st March 1902, with a copy of the said docket and of this office reply thereto

I have the honor to be,
Sir,
your most obedient servt.

[signature]
For Excise Commissioner
in Mysore

1901-1902.

B

From

K. P. Puttanna Chetty Esquire.
Deputy Commissioner
Shimoga District.

To

P. N. Purnanya Esquire B.A.
Excise Commissioner
in Mysore.

Dated 1st March 1902.

General No. 1639/165 Enclosure 2 files.

With reference to his docket No. 2882/35-1 dated 17th October 1901, regarding the concession prayed for by the Arrack Vendor K. Gundu Rau of Shanthahalli Taluk, has the honor to forward herewith letter No: 1183, dated 20th December 1901, on the subject received from the Thirthakamagalur Divisional officer with its enclosures

2. The Amildars report No: 141, dated 13th February 1902 with its enclosures are also sent herewith

(Sd.) K. P. Puttanachetty
Deputy Commissioner,
Shimoga District.

From

The Excise Commissioner in Mysore.

To

The Deputy Commissioner,
Shimoga District.

No. 5437/60. Dated 5/6 March 1902

The Deputy commissioner's docket

Docket No. 1639/165-, Dated 1st March 1902.

In reply has the honor to state that Mr: Mathan is wrong in thinking that before the present licensing System was introduced, Arrack used to be Sold privately and stealthily and that therefore only a limited quantity of it was sold. Originally the Arrack shops used to pay Mahatarfa tax; but when the late Khan Bahadur Mr: Abdul Raheman was the Deputy Commissioner of the Shimoga District, he cancelled the tax and thereby gave full Scope for the free sale of Arrack, which increased to such an extent that it affected both Arrack and Toddy Revenue. Consequently Arrack has been brought within the purview of Excise Laws, and its sale has thereby been restricted; so that under the present System its sales cannot affect arrack consumption so largely as it did before.

2. Some of the main causes of the fall of arrack consumption are mentioned in this office docket No 2482/25-, dated 17th October 1901. Arrack is being smuggled into the Sirsi taluk, taluk from British Territory through Aganbe Ghat. The Division officers should make proper arrangements for bringing the offenders to justice and for suppressing the crime

(Sd) S. Venkataramaiengar
For Excise Commissioner
in Mysore

"Copy"

A. Venkataramaiengar
For Excise Commissioner
in Mysore

Reference
No 28502

2832 of 90/92 ... 7-4-02 ...

2-6-02

Transferred to Excise Branch
in continuation
No 6690

Rec'd 10/6/02
Cent Records
Please put up R4 90/98.
17.6.02

File put up
17/6/02 17/1/02
Rec'd 19/6/02

Submitted.
The question has already been disposed of in Govt proc. No 5823 dt. 90-93 & 3rd June 1902. also sl no 44. also sl no 45. on the file. He also says that the records referred to in the petition may be perused and orders passed. This may either be filed or sent to the Excise Comm. for submission of the papers referred to by the petitioner
8/6/02
Submd to 2nd Asst.

Ex 459 SLG
Sl 43 1902 17 Feb
No. 3227

Name of Petitioner Karanji Gunde Rai Toddy Contractor

Village Tirthalli

Taluk

District Shimoga

Date of Arzi 26-5-02

Date of Receipt 30-

Date of Disposal

No. of Enclosure nil.

ABSTRACT

Reminder of his petition of out 7-4-02 praying for being shown some concession in the payment of the toddy Contract amount

States further that owing to the opening of Boja Shops several places in the Taluk, the demand for toddy was decreased and he suffered great loss in the undertaking

that the Shimoga Dy. Comm. and the excise Supervisor have op

MGCPB—4,000—31-1-02

on account of the increasing Boja Shops, the petn has sustained great loss in the contract and, therefore, deserves to be shown some concesim;

that Rr. Rangaswami Iyengar, when he was the Dy. Coun. of Shimoga in 95-96, recommended the abolisim of the Boja Shops on the ground that they tended to decrease ~~the~~ the Revenue of Sharab; and that the openers of Boja Shops were ordered to be prosecuted in 1896-97.

The petn. prays that all the above records be sent for & perused and that he may be shown some Concession in the payment of the Contract Amount.

Hubli.
27.5.02

2 10

LL 41

Read —

SR 1052-01

petition registered no 2832 dated 5th April 1902 from one Gunde Rau, arrack Vend farmer of the Turuvekere Taluk for 1901-1902, complaining that the opening of several Akkibhoja shops ~~from 1st July 1901~~ in the Taluk from 1st July 1901, has greatly reduced the sales of ~~arrack~~ in his arrack shops and praying that some remission may be granted on that account.

Correspondence ending with letter no 6931/319 dated 9th May 1902 from the Excise Commr. in Mysore, forwarding the records of the case and stating that the opening of Akkibhoja shops, ~~under the sales recently sanctioned~~ on payment of fixed license fees under the Rules

lately sanctioned is
calculated to protect
arrack sales instead of
having a prejudicial effect
on them as alleged by the pe-
titioner and that consequen-
tly his (petitioner's) claim for
compensation is inadmissible.

order herein.

No 523 93/6/02
R490-93

Government are
satisfied that the alleg-
fall in the consumption
arrack was in any way
due to the opening of the ed
Akkibhoya shops. The peti is
is accordingly rejected

21/5/02

Excise Commissioner's order

To
The Excise Commissioner
with the records.

31/5/02

No 524 of 3/6/1902
A490-93

Endorsement

Ak42

Ak 105-01

In reply to his petition dated 5th April 1902, complaining that, owing to the opening of several Akkibhoja shops in the Tirthahalli Taluk from 1st July 1901 the arrack consumption decreased to a large extent, and praying that a proportion compensation may be granted on account of loss thus sustained, Kahanji Gundeo, Arrack Vend farmer of the Tirthahalli Taluk for 1901-1902 is informed that Government are not satisfied that the alleged fall in the consumption of arrack was in any way due to the opening of licensed Akkibhoja shops and that the petition is therefore rejected.

"B O C"

2/6/02

for Secretary

Docket — No 77 — 8/8/02
Rt-90-93 — Encls

To the Excise Commr
in Mysore

The order of June 02
does not seem to have
been communicated to
the Peti Kanaiji Gunde
Rao of Tirthahalli where
further petition on
the subject is herewith
forwarded to the
Excise Commr with a
request — that unless
he sees reason to the
contrary in which case his
further report
will be awaited &
should be called on
quickly as possible the
Petr may be paid the
~~petition~~ ~~fee~~
of the order already
passed & told that
a reconsideration
of it is declined by
Govt —

16/7/02

Excise Commr

16/7/02

47

SR 10521

Subd

An endorsement has been granted
to the petitioner (vide Sl no 45 on file)
the petition was written before the
endorsement was issued (3.6.1902)
If necessary the portion marked
may be omitted & the docket issued.
~~for further report~~

KG
15/7/02.

+ no 523 / Rt-90-93 dy 3/6/02 declining
to sanction the permission
sought for by Kanaiji Gunde
Rao arecack Vend Farmer
of Thirthahalli Taluk

Ex No 1145
55 of 27/7/03.

1903-04

Petn. no. 117 of 1903 of the H. is transferred to the Secy. to Govt. in the Genl. Dept., Bangalore for report.

S Rao

Sd. E. Macnaghten
21-7-03.

No. 227

Name of Petitioner Kabanje Gundu Rao Vend farmer of Arrack

Village Kasba.

Taluk Shimoga

District Shimoga

Date of Arzi 16-7-03.

Date of Receipt 22

Date of Disposal

No. of Enclosure one.

Submitted
21-7-03.

May this be transferred to the Excise Branch.

Yes
27/7/03

Note Cond & file up
Also the file is sent up

True
28/7/03

ABSTRACT

The petitioner submits this memorial to His Highness appealing against the Govt. order No. 524 R 490-93 rejecting his petition of 5-4-02 complaining that owing to the opening of several Akkibhoja shops in Tirthalli Taluk from 1st July 1901, the consumption of Arrack decreased

large extent and
carrying that, on account
of the loss thus sustained
a proportionate compensation
might be granted.

The Petn. submits
that the report of Govt.
Chemist who personally
made the local enquiry,
shows that the petitioner's
allegations that his lo
is certainly owing to
the opening of the Nikibbo
Shops, are true
that he was obliged to
mortgage his landed
ancestral properties in
order to pay the amount
which he has already earned.
and that it would be cruel
cruel on the part of the Govt.
to utterly refuse him concession.

He prays therefore that
the balance of Rs 209/ due on
the sale of only 4884 gallons
of arrack in 1901-02, may
be accepted, that he

may be exempted from
the payment of the
remaining contract
amount, and that
the Dy. Comrs. Shimoga
may be directed to
await the final orders
of Govt. in the matter,
~~in order~~ to making
further demands
on the petr.-

H.C.G.
25/7/03.

Pet 64

Re 255
1

OFFICE OF THE PRIVATE SECRETARY TO
HIS HIGHNESS THE MAHARAJA OF MYSORE.

Bangalore, 21st July 1903.

Petition — as shown below, to His Highness the Maharaja, to be transferred to the Secretary to the Government of Mysore General Department, Bangalore for report.

No. 117 Dated 17-7-03.

By Order,

I. C. S.
Private Secretary
to H. H. The Maharaja of Mysore.

Peti
22-7-03

Received from the Private Secy to H.H. with No 255-S dated 21-7-03 for report 22-7-03 Secretariat

OFFICE OF THE PRIVATE SECRETARY TO H.H. THE MAHARAJA 117

To

His Highness Sree Krishnaraj Wodeyar
Maharaja of Mysore

227 R
22-7-1903

May it please Your Highness,

The humble Memorial of Karanji Gunda Rau of Shimoga Town most respectfully Sheweth,

That the memorialist, to eke out livelihood, contracted to the Vend farmer of arrack in the Tirthahalli Taluk, Shimoga District for the Official year 1901-1902, for an amount Rs 69/- in excess of that for the previous year, on the condition of paying a monthly instalment of Rs 5·00/-;

That after the memorialist undertook the Contract, the Excise Authorities allowed the sale of another kind of arrack named "Akkiboja" by Vendors, on payment of license fees of Rs 10/- for a Shop of the first Class & Rs 5/- for that of the Second Class;

That these "Akkiboja" Shops were allowed to be opened in no other Taluk but Tirthahalli. For the 32 arrack Shops there

there were no less than 64 "Akkiboja" shops allowed to be opened. The Memorialist was not given to understand that these shops would be allowed to be opened, either by notification in the Official Gazette or at the time of the sale of the arrack used farming;

That in consequence, the sale of arrack suffered in a great measure, and the Memorialist fearing a consequential heavy loss, petitioned to the Deputy Commissioner, in September 19 representing his grievances & Submitting that the "Akkiboja" shops may not ordered to be opened, or if that were not possible, to release the Memorialist from the liabilities of the Contract, since — nothing but insufferable loss was anticipated by the humble Memorialist. In answer to this the Deputy Commissioner ordered that the instalment for September 1901, may be paid up & that justice will be done to him in proportion to the loss in later instalments. The Memorialist accordingly paid up the instalment for September 1901;

That then the Deputy Commissioner referred the matter to Mr. Nathan Excise Assistant Commissioner, who kindly made a local enquiry at Tirthahalli in December

December 1901 & being Satisfied as to the loss that accrued to the memorialist owing to the existence of "Akkiboja" Shops, reported that the memorialist deserves Some Concession, by a proportionate remission in the balance of the Amount Contracted for;

That on receipt of this report of enquiry, the Deputy Commissioner referred the humble memorialist's case to the Excise Commissioner, for a proportionate remission;

That the Excise Commissioner unhappily, decided to say that no Concession Could be shown to the memorialist but that he must pay up the instalments as per conditions of the Sale-Contract;

That thereupon the memorialist appealed to Government in April 1902, for justice being done to him, embodying the orders of the Deputy Commissioner & the Excise Commissioner, but to the memorialist's misfortune, he was shown no Concession, the Government remarking at the same time, that they were not Satisfied that the loss that accrued to the memorialist, was due to the opening of "Akkiboja" shops, while Mr. Nathan's report of enquiry shows it to be so. In

Consequence

Consequence of this decision, the Deputy Commissioner had to order the memorialist to pay up the dues;

That seeing no way of getting justice & having no other resources to pay up the instalments, the memorialist had to mortgage his Ancestral property in the shape of lands, which he holds in the Village of Bantval in South Canara District, for the balance, req permission to appeal once more Excise Commissioner;

That then the memorialist submitted his case once again, to the Excise Commissioner in November 1902, to show him some Concession, as he was subjected to a loss, owing to the opening of "Akkibaja" shops & that the balance of the actual amount got by the sale of arrack, may be recovered from him by Annual instalments of Rs 500/-. In answer to this the Excise Commissioner declined to show any concession but accepted the payment of the Annual instalment of Rs 500/- to clear up the full balance of the Contracted Amount;

That thereupon the Deputy Commissioner urged the memorialist to pay up the instalment & to execute a

bond

bond mortgaging his landed property for the remainder of the amount, whereupon the memorialist paid up the instalment, turning into Cash the few jewels that were on the person of his wife & children;

That to earn the balance of amount due on this Contract, the Memorialist secured the Vend farming of arrack in the Hownali Taluk, Shimoga District, for 1902-1903; but to his misfortune, plague having broken out in Hownali, the Sale of arrack was minimised to such an extent that the memorialist suffered thereby a loss of Rs 500/-;

That the humble memorialist having been subjected to such tremendous losses, humbly Craves Your Highness's mercy & solicits Concession from Your Highness's benevolent hands;

That the total amount of arrack sold in 1901-1902, was 4884 gallons, yielding a sum of about Rs 3281/- after meeting minor expenses; Of this amount the memorialist has already paid up Rs 3012/-. There would therefore be a balance of Rs 269/- to be paid up,

to make up the value of the gallons sold; but the Excise Commissioner requires the memorialist to pay up the balance of the Contract amount namely, Rs 3000/- Since the memorialist has been subjected to suffer heavy losses by the opening of the "Akkibaja" shops, under orders of the Authorities, after the humble memorialist undertook the Contract & the opening of such shops was not notified at the time the sale of the Vend farming of arrack took place, or previous to it, he craves the Concession above specified. If on the other hand — Government insist the full amount of the Contract be paid up, the memorialist has no other resources wherewith to pay up such a large balance of Rs 3000/-, but to place at the mercy of the Government, his lands & moveables & to live without means, with his family, in the future;

That the Concession asked for by the memorialist, is not much when viewed in the light, that if Government had not leased the arrack farming but kept it up for itself, the sale proceeds would have amounted to what they have been to the humble memo-

Memorialist & nothing in excess, in which case Government had no one to question; but because the Memorialist came forward to take up the Contract, by way of earning a little to himself as well, & suffered losses (not through his own folly), Your Highness will graciously be pleased to observe, whether it will not be cruel to bind the Memorialist to pay up the full balance of the Contracted amount, namely Rs 3000/-, when the sale of arrack has not yielded to him the full expected amount;

That in conclusion, the Memorialist humbly craves Your Highness's benevolent indulgence & to be graciously pleased to show him the only Concession he prays for, — namely, to kindly accept the balance of Rs 269/- due on the sale of only 48884 gallons of arrack in 1901-1902 &. to exonerate him from the liabilities of the Contract & to instruct the Deputy Commissioner Shimoga, to wait Your Highness's benevolent decision, before urging

urging the humble memorialist, to execute a bond, for the balance of the Contract Amount;

For which act of benevolence, the humble memorialist ever prays for Your Highness's longevity, happiness and prosperity.

The memorialist begs permission to be,

Your Highness's most loyal, Obedient & humble Servant

16th July 1903
Bangalore

Mysore Court
Secl & Rec. Secretariat

Docket

Office Draft. ~~(Letter.)~~

2114

~~Mysore Dewan's Office,~~
Secl Branch.

Mysore

No 46.

To The Resident Court
in Mysore

Date of passing the draft 19/8/03.
Date of despatch 22/8/03.

Regd. No. 161
File No. & date (if any) Ex. 90-93

No. of Encls. 2

Seen 23/8/03
Order 24/8/03

In continuation
of this office docket no 77
R.L. 90-93
of 18th July 02, licu the
honor to forward herewith
a petition (Petn no 227
& 55
of 27th July 03) from
Kanaiji Gunde Rao,
Attack Vend Farmer of
the Nintkalkalli Taluk
for 1901-02, addressed
to His Highness the
Maharaja, praying
for a reconsideration
of the C.C. no. 524
R.L. 90-93
of 3rd June 02, which
rejected his petition

for the permission of the
area are due to Govt.
and to request the submission
of a statement of the
grounds on which the
Excise Comrs differed
from the Asst Comrs.
Mr Strahan, and held
that the loss sustained
by the petitioner was
independent of an
increase in the number
of Akkilekaja shops,
but that it was due
to smuggling and mis-
management.

2. Para 10 of the Excise
Comrs letter no. 6609/286
of 23rd April 02 leaves (
not very clear touching (
the petrs right to any (
relief, but requested
to favor Govt with their
opinion as to whether
the petrs case deserves
further consideration.

PCO.

0876
18.VIII
Encl
1913

Hm
19/8/13

Secret. 19/8/13
Hillis 24/8/13

Ex 127/7.9.03

1903

5 SEP

From C. N. Devarajaya Esquire B.A.

Excise Commissioner in Mysore

To H. V. Nanjundayya Esquire Bar. at. Law.

Secretary to the Government of His Highness the Maharaja of Mysore

General and Revenue Departments.

Dated 29th August 1903.

Despatched 3rd Septr 03.

Received

General No. 2064

No. 96

Enclosure No. 2.

Subject

In reply to Secretary's docket No. 661 Ex 90-93, dated 22nd instant, I states that under the circumstances represented, petitioner Gundé Rao's case does not deserve reconsideration for any remission of the arrears of Excise duties due by him.

Excise
5. 9 03

Rec'd 7.9.03

Filed with the Bill & note continued

Bill

8/9/03

MGCPB—50 reams—6-12-02.

No.

Excise Commissioner's Office.

Dated Bangalore 29th August 19

From

S. A. Ramaiya Esquire B.A.,

Excise Commissioner in Mysor

To

M. V. Narjundayya Esquire M.A. B.L.

Secretary to the Government of

His Highness the Maharaja of Mysore

General and Revenue Departments.

Sir,

In reply to your docket no. 161 Ex. 790-9 dated 22nd instant, I have the honor to state that the Excise Inspector of the Thirthahalli Range, has, in reply to Mr. Mathan's queries on arrack vend forms Gundi Rao's complaint, reported to the effect that in the years prior the year 1901-02, Akkibhoja (rice beer) used to be manufactured, consumed and sold in thousands of houses in the Thirthahalli taluk, and many Akkibhoja shops existed close to arrack shops, but that since 1st July 1901, only 26

Akkibhoja

Akkibhoja shops have been licensed, the indiscriminate vend of Akkibhoja being prohibited; that therefore there is no reason whatever to say that the sale of akkibhoja is the cause of the fall of arrack consumption; and that such fall is due to the following causes:-

(1) The farmer has not opened the arrack shops at Bandagadi, Jaugaru and Kavaledrug

(2) The farmer kept no stock of arrack for several days in the shops at Malavalli, Walagir and Begavalli

(3) The farmer does not look after the retail shops with due care and attention.

2. Mr Nathan after making personal enquiries reported as follows.—

"From the enquiries I made at Thirtha "halli and in the villages of Hesgar "and Kuruvalli, I am led to believe "that akkibhoja was sold in these places "during the last year also. But there "was apparently a general impression "that the sale of akkibhoja was illegal, "and therefore such sales were carried "on stealthily, and the drink was only "given only to the persons well known

to

"the vendors. Now however regular
"licenses for the sale of akkibhoja
"have been issued, and the drink is
"sold openly to everybody who may
"ask for it, and therefore to a much
"larger extent than heretofore. At
"Arga, however, which was also visited
"by me, the information that I received
"was different. The evidence of the
"arrack vendor, akkibhoja shop
"keepers and some other disinterested
"persons goes to show that akkibhoja
"was manufactured and sold by 7
"or 8 persons during the previous years
"and that as a license fee has been
"now fixed, only four people are now
"manufacturing and selling the drink,
"and that therefore it is sold to a
"much less extent than in the last
"year. From the above, and more
"especially from the fact that the
"greatest fall in the consumption of
"arrack was in the month of July
"1901, when there was hardly a single
"akkibhoja shop licensed, I have to
"infer that the licensing of the sale

of

"Akkibhoja is not the only cause
"of the fall in the Consumption of arrack"
3. Mr. Nathan was wrong in thinking that
before the introduction of the present
licensing system, "there was apparently
a general impression that the sale of
Akkibhoja was illegal, and therefore
such sales were carried on stealthily,
and the drink was given only to the persons
well known to the vendors." Originally
all Akkibhoja shops were assessed with
Mohatarfa tax. But when the late
Khan Bahadur Mr. Abdul Rahman
was the Deputy Commissioner of the
Shemoga District, he cancelled the tax,
and thereby gave to the Malnad population
greater liberty and scope for the free
sale of Akkibhoja, which increased
to such an extent that it affected
both arrack and Toddy Revenue.
Consequently, restrictions have been
put on it by licensing only a limited
number of shops in specified localities
and thereby preventing the abnormal
sales

sales and consumption of Akkithoja.
Thus it will be seen that the introduction
of the licensing system, did not in any
way tend to the fall of arrack consumption.
The local Inspector has reported the re
main causes of it, as stated above.
I have ascertained that the smuggling
of Cheaper arrack from British Territory
and the fact that the farmer did not
give proper wages or Commission to the
vendors in shops, who consequently
carried on malpractices by short
measuring and diluting arrack,
also contributed to the fall.
4. One of the conditions of the arrack
lease is- "The licensee will have no
claim to compensation or remission
on account of any arrangements which
may be made by Government in regard
to Country beer or other description of
liquor other than arrack."
5. Under such circumstances, I am
of opinion that the petitioner Gundé
Row's Case does not deserve reconsid
eration for any remission of the a
rrears of Excise duties due by him.

6.

6. But to enable Gundé Row to make payments easily, six yearly instalments have been allowed, as sanctioned by me in December 1902.

7. The enclosure of the docket under reply is herewith returned.

I have the honor to be,
Sir,
your most obedt servant

[signature]

Excise Commissioner
&
ex Impore.

No. 423
R7.9093

MYSORE DEWAN'S OFFICE,
Excise Petition Department,

The 24th Nov 1903.

Endorsement granted to Karanji Linde Rao
Overseer Vend Farmer of Thirthahalli Taluk
for 1901-02

in reply to his Petition Registered No. 227 & 55 dated 27th July 1903
addressed to H.H. the Maharaja of Mysore,
praying for the remission of arrears due
from him to Govt.

Petitioner is informed that H.H. the Maharaj
sees no reason to interfere with
the orders already passed.

By Order,

Secretary

R.T.O.

Calendrier Ec-Comm
in Mysore, with ref. to
his letter no. 2064-229/4
dated 03.

Bill.

Thru
14/11/03

Reference

30.4.04

227 of 03-04

27-7-03 ...

30-4-04

Is transferred to the Circle Branch in continuation

30.4.04

Mr Timmanaiah
Please perhaps file
No 25.8.04

S.418 & 2/8/04

No. 49 1903-04

No. 2433

Name of Petitioner Karanji Gunde Rao

Village Shimoga Kasba

Taluk

District

Date of Arzi 25-3-4-04

Date of Receipt 28-3-

Date of Disposal

No. of Enclosure Nil.

ABSTRACT

The petr. seems to have approached the Govt. on a previous occasion with the prayer that, on account of the heavy loss he sustained in the Contract of Arrack Shops in the Tirthalli Taluk in 1901-02, the balance due to Govt might be remitted, and to have been permitted to pay the arrears by an annual instalment of Rs. 500/-. He now pleads his inability to pay up the arrears at this rate

and prays that the rate of
instalment may be reduced
to Rs. 200/- per annum.

29/4/08.

Mysore Government
General and Revenue Secretariat
Petition Department
Reg'd No 2633 R
Date 28-6-1902

To By post resp. 20.v.w.

The Secretary to the Government of
His Highness the Maharaja of Mysore,
Bangalore

Sir,

2433

With due respect, I beg to state that I was the Arrack Rend farmer of the Thirthahalli Taluk of the Shimoga District during 1901-02. I suffered Considerable loss in the Contract. My prayers for the remission of the balance due from me were not favourably viewed by the Government. But, after all, the Excise Commissioner permitted the payment of the arrears by an annual instalment of Rs 500/- Even this I find very heavy with an income of Rs 200/- from my ancestral lands in the South Canara District. I have no property of my own in this Province by the disposal of which, I Could clear of the arrears. I beg therefore that annual instalment due by me may kindly be reduced to Rs 200/- and this, I will pay up by monthly Kists. I pray for this Concession as a special Case, So that I may keep up my honor and prestige

Prestige, Since I have no means of paying up the arrears in lump sum or by instalments of heavy sum.

I most humbly beg to remain,

Respected Sir,

Your most obedient Servant.

ಶಿವಮೊಗ್ಗ
25th April 1904

Register of Land to Excise Branch Cash. 54

Land LA.

29/4/04

24338/03-04.

Mr Timmarayappa
Please put up file
No. 2.5.04

Ex 416 dt 30/4/04.

1903-04 418

No. 2448

Name of Petitioner Karanji Gunde Rao

Village Kasba

Taluk Shimoga

District

Date of Arzi 28 } -4-04

Date of Receipt 29 }

Date of Disposal

No. of Enclosure Nil.

ABSTRACT

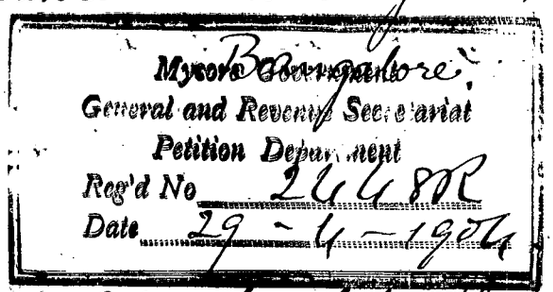
His is addressed to the H.H. Councillor, praying that he may be allowed to pay his arrears of Arrack Contract by annual instalments of 200 rupees.

Gen
Deputy

Received by post

To.

The 1st Councillor in Mysore,



Sir,

With due respect I beg to state that I was the arrack Vend farmer of the Thirthahalli Tk of the Shimoga Disbuct during 1901-1902. I Suffered Considerable loss in the Contract. My prayers for the remission of the balance due from me were not favourably viewed by the Government But, after all, the Excise Commissioner permitted the payment of the arrears by an annual instalment of Rs 500/- Even this, I find very heavy with an income of Rs 200/- from my ancestral lands in the South Canara Disbuct. I have no property of my own in this Province, by the disposal of which I Could clear of the arrears. I beg therefore that annual instalment due by me may kindly be reduced to Rs 200/-

and

and this, I will pay up by monthly Kists.
I pray for this Concession, as a special Case.
So that I may keep up my honor and prestije,
Since I have no means of paying up the arrears
in lump sum or by instalments of heavy sum.

I most humbly beg to remain.
Respected Sir
Your most obedient Servant.
ಫಂಡರ ಸಂಡಂಸ್
ಪಜಪಸಸ್ ——

Shimoga
25th April 1904.

(Exc. off C) 1157 S.W.

No. 740
RF-90-93

The Mysore Government
General and Revenue Secretariat

~~MYSORE DEWAN'S OFFICE,~~
Excise
~~PETITION~~ DEPARTMENT,

The 13th January 1904

ENDORSEMENT GRANTED TO

Karanth Gundu Rao, late Amildar and farmer of the Tirthalli taluk, now resident in Shimoga

In reply to his Petition Registered No. S. 2433 & 2448 dated the 25th April 1904, the former addressed to the General & Revenue Secretary and the latter to the 18th Councillor, praying that he may be allowed to pay the arrears of Attack farm rent due by him by annual instalments of Rs 200

Petitioner is informed that ~~the Petition~~ his case has already fully considered and finally disposed of by Endorsements No 5-24 dated the 3rd June 1902 & No 42 RF-90-93 dated 24/11/03 that the grant to him and the Government see no reason to concede more than what has already been allowed to him by the Excise Commissioner.

By Order,

13/1/04

Secretary